

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NICHOLAS CLOUSER,	:	CIVIL ACTION NO. 1:21-CV-1148
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
HANOVER FOODS CORPORATION	:	
and STEPHANIE KLEINFELTER,	:	
ESQUIRE,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 2nd day of May, 2022, upon consideration of defendants' partial motion (Doc. 6) to dismiss, and the parties' respective briefs in support of and opposition to said motion, and for the reasons set forth in the accompanying memorandum of today's date, it is hereby ORDERED that:

1. The motion (Doc. 6) to dismiss is GRANTED in part and DENIED in part as follows:
 - a. The motion is GRANTED as to Counts 1 through 5 and 10 through 14, and plaintiff's claims are DISMISSED without prejudice.
 - b. The motion is GRANTED as to Count 15, and plaintiff's claim for wrongful discharge in violation of public policy is DISMISSED with prejudice.
 - c. The motion is otherwise DENIED.
2. Clouser is granted leave to file an amended complaint within 14 days of the date of this order. In the absence of a timely filed amended complaint, the above-captioned action shall proceed on Counts 6 through 9 and 16.

3. Defendants' deadline to respond to the complaint under Federal Rule of Civil Procedure 12(a)(4)(A) is DEFERRED for the duration of the 14-day amendment period set forth in paragraph 2 above.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner
United States District Judge
Middle District of Pennsylvania